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 TEQUILA TAZON, INC.

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

**\*E-FILED - 10/3/07\***

PERNOD RICARD MEXICO, S.A. de C.V.  
 and PERNOD RICARD USA, LLC,

CASE NO. C 07 0968 RMW PVT

Plaintiffs,

vs.

**STIPULATION AND [**  
**ORDER TO ENLARGE TIME FOR ADR**  
**COMPLIANCE AND TO CONTINUE**  
**CASE MANAGEMENT CONFERENCE**

TEQUILA TAZON, INC., and AMERICAN  
 WINE DISTRIBUTORS, INC.,

Defendants.

**[Electronic digital signatures permitted]**

TEQUILA TAZON, INC., a Nevada corporation,

Counterclaimant,

vs.

PERNOD RICARD MEXICO, S.A. de C.V. and  
 PERNOD RICARD USA, LLC,

Counterdefendants.

1 IT IS HEREBY STIPULATED AND AGREED by plaintiffs and counterdefendants,  
2 PERNOD RICARD MEXICO, S.A. de C.V. and PERNOD RICARD USA, LLC, and defendant  
3 and counterclaimant, TEQUILA TAZON, INC., each acting through their undersigned counsel,  
4 that:

5 1. On August 28, 2007, the Court entered an Order based upon the Stipulation of  
6 plaintiffs and counterdefendants, PERNOD RICARD MEXICO, S.A. de C.V. and PERNOD  
7 RICARD USA, LLC, and defendant and counterclaimant, TEQUILA TAZON, INC., that (i) the  
8 time for satisfaction of the ADR requirement in this case be extended to and through October 10,  
9 2007; and (ii) the Case Management Conference, then calendared for Friday, August 31, 2007 at  
10 10:00 a.m., be continued and re-calendared to Friday, October 19, 2007, at 10:00 a.m.

11 2. A mediation was calendared for September 26, 2007 before the mediator, James  
12 Gilliland, Esq., that was based upon the referral to mediation by the Court in its Minute Order  
13 dated May 25, 2007.

14 3. In advance of such mediation on September 26, 2007, the parties, alone and  
15 subsequently with input from the mediator, commenced exploratory discussions concerning a  
16 settlement of the case prior to a mediation occurring. Such discussions are continuing, and, for  
17 that reason, the mediation calendared for September 26, 2007 was postponed.

18 4. The parties to the mediation and the mediator have now preliminarily concurred  
19 on the dates of November 7, 8, 9, 14, or 16, 2007 for either re-calendaring the mediation or  
20 seeking the mediator's services in connection with ongoing settlement discussions. Such dates  
21 are the first available dates on the mediator's calendar for him to participate.

22 5. Following the May 25, 2007 referral by the Court of this case to mediation, the  
23 time for satisfaction of ADR in this case will extend beyond the ninety (90) day requirement set  
24 forth in ADR Local Rule 6-4(b).

25 6. The parties to the mediation and their respective counsel believe that an  
26 enlargement of time for satisfaction of ADR in this case to and through November 28, 2007 will  
27 permit those parties and the mediator to commence and work at efforts to reach a settlement of  
28

the case, or, in the alternative, for such parties to prepare for and appear at a continued and re-calendared Case Management Conference, as set forth below.

7. In light of the November 2007 dates upon which the mediator is available, the parties to the mediation and their respective counsel request that the Case Management Conference, which is now calendared for October 19, 2007 at 10:00 a.m., be continued and re-calendared to December 7, 2007 at 10:00 a.m. with the parties to submit to the Court a Joint Case Management Statement on or before November 30, 2007.

DATED: September 25, 2007 ARNOLD & PORTER LLP

By: /s/ John Maltbie  
 John Maltbie,  
 Attorneys for plaintiffs  
 and counterclaim defendants,  
 PERNOD RICARD MEXICO, S.A. de C.V.  
 and PERNOD RICARD USA, LLC

DATED: September 25, 2007 BUSINESS & TECHNOLOGY LAW GROUP

By: /s/ Stephen N. Hollman  
 Stephen N. Hollman,  
 Attorneys for defendant  
 and counterclaimant,  
 TEQUILA TAZON, INC.

### **ORDER**

After consideration of the foregoing Stipulation and the reasons therefor, IT IS HEREBY ORDERED that (i) the time for satisfaction of the ADR requirement in this case be extended to and through November 28, 2007; and (ii) the Case Management Conference, which is now calendared for Friday, October 19, 2007 at 10:30 a.m., be continued and re-calendared to Friday, December 7, 2007, at 10:30 a.m.

DATED: October 3, 2007

Ronald M. Whyte  
 Hon. Ronald M. Whyte  
 United States District Court Judge